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may be necessary to make such bakery comply with the provisions of this article.

1860. *Penalty*.—Any person, firm or corporation who shall hereafter establish, maintain or operate any bakery, without first procuring a license so to do, shall be fined not less than \$25 nor more than \$200 for each offense, and a separate offense shall be regarded as committed each day on which such person, firm or corporation shall maintain or operate any bakery without license as aforesaid.

Any person, firm or corporation who violates or fails to comply with any of the provisions of this article shall be fined not less than \$5 nor more than \$100 for each offense and a separate offense shall be regarded as committed each day on which such person, firm or corporation shall continue any such violation or failure.

Milk and Milk Products—Production, Care, and Sale. (Ord. Mar. 26, 1915.)

ART. 7. 1861. *License to sell, application*.—No person, firm or corporation, or agent or employee thereof, shall sell, offer or expose for sale, dispose of, exchange or deliver, or with the intent so to do, have in his possession, care, custody or control, milk or its fluid derivatives for human food, without first having procured a license so to do from the mayor of the city of Evanston. Application for such license shall be made on a printed form to be provided to the applicant by the department of health of the city of Evanston for that purpose, and shall state:

FIRST. Name and place of business of the person, firm or corporation applying for the license. The description or class of milk to be handled, i. e., whether "pasteurized," "certified" or "inspected."

SECOND. The dairy or dairies, farm or farms, if any, from which the milk sold or offered for sale, supplied and delivered by the applicant is procured.

THIRD. The number of cows, if any, owned or controlled by the applicant.

FOURTH. The average daily quantity of milk produced, supplied, sold or delivered or otherwise disposed of by the applicant and the method and character of such delivery or disposition.

FIFTH. Whether or not the place of business of the applicant is in a store, delicatessen shop or other shop or stand or store whatsoever.

SIXTH. The number of wagons, cars, or other vehicles, if any, used in the business of the applicant for the transportation and delivery of milk or cream and such description of each as the commissioner of health shall require upon such application.

1862. *Form of license and display*.—When the applicant shall have satisfactorily complied with the conditions named hereby for the issuing of a license to deal in "pasteurized," "certified" and "inspected" milk or any of them, the mayor shall issue to the applicant a license authorizing the applicant to sell, deliver, offer or keep for sale, deliver or exchange, milk and its fluid derivatives for use as human food. Each license shall contain the name, residence, and place of business of the licensee, the serial number of such license, the time of expiration of the term thereof and a description of the kinds or classes of milk in which the said licensee is authorized to deal within the city of Evanston. Each licensee shall cause his license to be legibly and conspicuously posted in his place of business.

1863. *License fee*.—Each licensee shall pay to the city of Evanston a fee for such license of \$5 per annum; when more than one wagon, cart or other vehicle is used by said licensee in his business as a dealer in milk, then said licensee shall pay for each additional wagon, cart or other vehicle an addi-

tional license fee of \$2 per annum: *Provided, however,* That any licensee who sells or offers for sale milk from one or two cows only, shall pay a license fee at the rate of \$2 per cow.

1864. *Term of license.*—No such license shall be issued for a longer period than one year and every such license shall expire on the last day of April next following the date of the issuance thereof.

1865. *Change of address to be reported.*—If, after the issuance and delivery of the license, any change be made in the location of the place of business of such licensee or such licensee shall sell or otherwise transfer his business, notice thereof must be forthwith given to the commissioner of health.

1866. *License tag.*—It shall be the duty of the city clerk to furnish two steel or metal plates or tags not less than 4x8 inches in size to each licensee, authorized to act as aforesaid, who shall have exhibited to him his license and paid to him for the use of the city of Evanston for such tags, the sum of 50 cents. Said plates or tags shall have engraved upon them the words "milk, Evanston," the year for which the license is issued and the serial number of the license. One such license tag or plate shall be attached to every wagon, cart or other vehicle used in the business of such licensee in a conspicuous place on each side thereof. The city clerk shall furnish to every licensee additional tags or plates upon the payment to him of 10 cents for each such additional tag or plate so furnished.

1867. *No license where contagious diseases exist.*—No license shall be issued to any person, firm or corporation whose milk is produced, prepared or handled in any place, or under any circumstances, where there exists or is suspected to exist any of the conditions of contagion described in section 1869 hereof.

1868. *Revocation of license.*—All licenses, for which provision is made herein, shall be subject to ordinances of the city of Evanston which may be or become in force during the period covered by such license. The license of any licensee who shall have violated any of the provisions of this ordinance or other ordinances of the city of Evanston may be revoked by the mayor at his discretion.

1869. *Production and preparation; general requirements.*—No milk or fluid derivative thereof shall be sold, offered for sale, exchanged, or delivered or kept or stored with the intent so to do within the city of Evanston which shall not have been produced or prepared under the following conditions:

FIRST. All cows which are used for the production of milk for sale, delivery, or consumption within the city of Evanston shall be kept clean at all times. Long hair must be clipped from the flanks and udder of such cows and from their tails sufficiently so that they shall not touch the ground.

SECOND. All cow stables shall be thoroughly lighted with windows and ventilated, and at least twice a year shall be thoroughly cleansed as regards the walls, partitions, and ceilings by whitewashing with lime wash containing some effective disinfectant and shall otherwise be kept clean in a manner satisfactory to the commissioner of health. All manure and everything of a foul or uncleanly nature shall be removed daily.

THIRD. Cows for such use shall not be fed on slops, refuse from any distillery or brewery, glucose, or any malt in a state of fermentation, putrefaction, or decomposition, or on any other foodstuff otherwise unwholesome.

FOURTH. The drinking water for cows must in all instances be pure and clean and be contained in troughs or other receptacles which are kept scrupulously clean, and cattle shall not be kept where they may drink from stagnant ponds, sloughs, or contaminated streams or other insanitary drinking places.

FIFTH. Milk procured from cows 15 days before and 1 week after calving shall not be sold or offered for use or consumption as human food, nor be mixed with any milk intended for such use within the city of Evanston.

SIXTH. All milk shall be removed from the stable wherein the milking has been done immediately after it has been obtained from the cows and shall at once be strained and thoroughly cooled to a temperature of 60° F. or below by frequently stirring the same until the animal heat is expelled. It shall be kept at that temperature or below until delivered to the consumer: *Provided*, That after January 1, 1913, it shall be kept and delivered at a temperature of 55° F. or below.

SEVENTH. All milking must be done in a careful and cleanly manner by persons who are clean as to both person and clothes or by mechanical milkers or apparatus operated and maintained in a cleanly manner and condition by persons clean as to both clothes and person. The udders of all cows shall be cleansed before milking. Every precaution shall be taken to prevent dust, dirt, hayseed, or any foreign substance from falling into the pails while milking is being done.

EIGHTH. All persons, firms, or corporations who own or keep a dairy in the city of Evanston shall maintain the premises thereof free from any accumulation of refuse matter or offal, which shall be removed frequently so as not to endanger the public health.

NINTH. All bottles, utensils, milkers, or other apparatus and devices used or operated in the production, preparation, or handling of milk or its fluid derivatives for sale, delivery, or consumption within the city of Evanston shall be properly cleansed, rinsed and sterilized before using and shall be so constructed that no milk can accumulate in any part thereof after use and so that they can be cleaned by simple washing. The surface of all such utensils, milkers, or other devices and apparatus which comes in contact with such milk must at all times be kept smooth and free from rust.

TENTH. All open-top milk pails shall have an opening at the top not more than 7 inches in diameter.

ELEVENTH. No person who is affected with or is suspected of being affected with any contagious disease, or who lives with, or is employed with, or has come in contact with any person so affected or suspected of being so affected, or who lives in a place where there has recently been any contagious disease, shall be allowed to actively engage or assist in and about the business of producing, preparing, handling, or delivering milk intended for sale, delivery, or consumption within the city of Evanston or intended to be mixed therewith. When any such person shall be so affected with a contagious disease or be suspected of being so affected or have come in contact with any person or have lived in any place as aforesaid, he shall not be further employed in any dairy, bottling plant, distributing station, or other place in which milk is produced, prepared or handled for sale, delivery and consumption in the city of Evanston, nor shall he be allowed to return to such employment in such place until the commissioner of health is satisfied that such person is not a source of contagious disease.

TWELFTH. It shall be the duty of every person, firm, or corporation producing, preparing, or handling milk for sale, delivery, or consumption within the city of Evanston to notify the commissioner of health at once of the existence or suspected existence of any contagious disease, as provided in the eleventh clause hereof. The commissioner of health shall immediately stop the sale or delivery of any milk which has been produced, prepared or handled in any dairy, bottling plant, or distributing station, farm or other place where the presence or danger of contagious disease exists or is suspected to exist as aforesaid and shall not permit the sale or delivery of milk produced, prepared,

or handled in such places as aforesaid until he shall be satisfied that the person or persons so affected or suspected of being affected with contagious disease are no longer living or employed in or about such place or that there is no longer any danger of the spread of disease from such place and that the milk produced, prepared, or handled on said premises is not a source of any contagious disease.

1870. *Distribution; general requirements.*—No milk or fluid derivatives thereof shall be sold, offered for sale, supplied, transported, or delivered within the city of Evanston except under and in accordance with the following conditions:

FIRST. All milk sold, offered for sale, supplied, transported, or delivered within the city of Evanston shall be contained in bottles, metal cans, or other receptacles of a character satisfactory to the commissioner of health, closed tightly with an air-tight cap in a manner satisfactory to the said commissioner. When such milk is sold, supplied, or delivered within the city of Evanston in metal cans, whether in bulk or otherwise, the said cans shall have stated thereon the name of the dealer and shall be sealed with a metal seal by the person, firm, or corporation preparing and shipping such milk before leaving the milk house or distributing station. Said seal shall not be broken before delivery to the consignee within the city of Evanston. All such cans shall be at all times kept free from rust.

SECOND. Where milk is supplied or delivered in bottles, the caps or stoppers thereof shall have stated thereon the name of the dealer and the day of the week on which the contents thereof were placed therein, and it shall be unlawful for any person, firm, or corporation, or person employed thereby, to mark or cause or allow to be marked any cap or stopper with a date other than the day upon which the said bottle was filled. When the milk is contained in a can, as herein provided, there shall be attached to the can in a conspicuous place a label upon which shall be stated the day of the week upon which said milk was placed therein, and it shall be unlawful to place or name any other date thereon.

THIRD. In case the milk contained in the said bottles or cans is that which may, according to the terms of this ordinance, be labeled as "pasteurized," "inspected," or "certified," the label provided for, in the next two preceding sections shall contain thereon in letters not less than three-sixteenths of an inch high if on a cap or stopper, and not less than five-eighths of an inch high if on a tag attached to any can, a description of the contents thereof, with the words "pasteurized," "inspected," or "certified," as the case may be.

FOURTH. Every such milk depot or other distributing station shall be provided with grated drying racks, and all bottles and cans which have been used in the transportation and delivery of milk and the products thereof shall be placed upon such drying racks in an inverted position for proper drying and ventilation; such racks shall be kept clean and shall be located in such depot or milk station in such place and manner as to be exposed to a minimum of dust and other contamination.

FIFTH. No person, firm, or corporation or person employed thereby shall place or permit to be placed in any vessel, utensil, or vehicle, used in the production, sale, or delivery of milk, or any of its products, any offal, swill, or garbage, kerosene, or other oil or other offensive material; nor shall any person return or permit to be returned any can or bottle for the containing of milk or its products which has contained such matter or which is in an unclean or offensive condition. It shall be the duty of every person, firm, or corporation who shall be supplied with milk contained in bottles or cans to wash the said bottles

and cans immediately upon the use thereof and before returning to the person, firm, or corporation who has delivered the same.

SIXTH. It shall be unlawful for any person, firm, or corporation, or any person employed thereby, to sell or deliver any "dip" or "bulk" milk or to fill any bottle, can, or other receptacle with milk in or upon any wagon or vehicle used in the delivery of milk or in a shop or store or in any place other than a milk house, dairy, or other building which has been inspected by the commissioner of health or his deputy and approved in accordance with the provisions of this ordinance.

SEVENTH. No person, firm, or corporation shall immerse or store in water any bottled milk or cream which is to be sold or offered for sale or delivery in the city of Evanston, and no person, firm, or corporation shall sell or offer for sale any such bottled milk or cream which shall have been so immersed or stored in water.

EIGHTH. Any person, firm, or corporation engaged in the sale of milk in Evanston shall provide a suitable room or building for the purpose of properly handling, cooling, storing, and bottling the milk. Such building shall be entirely above ground, and shall be separate and apart from all other buildings, and shall not communicate by means of a door or any other opening in the partition or elsewhere with any stable in which a cow or horse or any other animal is kept, or with any room containing a water-closet or bath tub, or in any room used for any domestic purpose whatsoever. Such building shall be properly lighted and ventilated and provided with cement floors, cooling tanks, sinks properly drained and ventilated and furnished with modern appliances and facilities for the sterilization of milk utensils and bottles (where milk is bottled) and sanitary handling of milk under all circumstances.

The sanitary condition of all milk depots and distributing stations, vehicles, and milk boxes, and all equipment used in the storage and distribution of milk and other dairy products, shall be as is provided in and by the sanitary food ordinance of this city, and inspections thereof shall be made, and any violation of this ordinance shall be punished in the manner therein provided.

NINTH. Milk tickets used by dealers in the sale of milk or any of its derivatives shall be destroyed after being once used.

TENTH. All cans, vessels, and receptacles used in the hauling of milk or cream, as well as all packages, refrigerators, or compartments of stores or other places where milk or cream is kept, stored, or hauled, shall be kept and maintained scrupulously neat and clean, and shall be kept free from the presence and vicinity of any article of any kind likely to contaminate or injuriously affect the sweetness, quality, or condition of the milk or cream.

ELEVENTH. No milk shall be delivered in bottle or otherwise within any room, flat, house, or other apartment, where there is any person having a contagious or infectious disease. Receptacles shall be provided for such milk and placed outside such apartment, so that the one delivering the milk can do so without entering the apartment. No bottle or other containers that may be at such place at the time of the discovery of such disease shall be removed until after such bottles or containers have been properly sterilized.

1871. *Sanitary inspection of farm and dairy.*—The following points shall be incorporated into a score card of suitable form to be used for inspection of all dairies supplying milk and cream to the city of Evanston, and the commissioner of health shall inspect, or cause to be inspected by his proper deputy, all such dairies according thereto:

SCORE.

PERFECT ALLOWED.

Equipment.		No. milking----	
No. cows :			
Condition-----			4
Health (outward appearance)-----			6
Comfort-----			4
Bedding-----	2		
Temperature of stable-----	1		
Protected yard-----	1		
Cubic feet of space per cow—			
Over 300-----	2		
Over 400-----	4		
500 to 1,000-----	6		6
Feed-----			4
Water-----			8
Clean-----	6		
Fresh-----	2		
Stable :			
Located-----			6
Well drained-----	3		
Free from contaminating surroundings-----	3		
Construction-----		10	
Tight, sound floor-----	3		
Gutter-----	1		
Stall, stanchion tie-----	1		
Low-down manger-----	1		
Smooth, tight walls-----	1		
Smooth, tight ceiling-----	2		
Box stall-----	1		
Light: 1 square foot glass per cow, 2; 2 square feet, 3; 3 square feet, 6; 4 square feet, 8; even distribution, 2-----			10
Ventilation: Sliding windows, 2; hinged at bottom, 4; King system of muslin curtain, 8-----			8
Stable yard (drainage)-----			2
Milk room :			
Location-----			6
Convenience-----	2		
Free from contaminating surroundings-----	4		
Construction-----		4	
Floor-----	1.5		
Walls and ceiling-----	1		
Light-----	.5		
Ventilation-----	.5		
Screens-----	.5		
Arrangement-----			2
Equipment-----			6
Hot water or steam-----	2		
Cooler-----	2		
Narrow top milk pail-----	1		
Other utensils-----	1		
Water supply for utensils-----		10	
Clean-----	6		
Convenient-----	2		
Abundant-----	2		
Milking suits-----			4
Methods.			
Cows :			
Cleanliness-----			10
Stable :			
Cleanliness-----			12
Floor-----	4		
Walls-----	2		
Ceiling-----	2		
Ledges-----	1		
Mangers and partitions-----	1		
Windows-----	1		
No other animals in stable-----	1		
Stable air-----			4
Removal of manure-----			4
To field or proper pit-----	4		
30 feet from stable-----	2		
Cleanliness of stable yard-----			2
Milk room :			
Cleanliness-----			6
Care and cleanliness of utensils-----			10
Inverted in pure air-----	2		
Clean (superficially)-----	4		
Sterilized-----	4		
Milking :			
Cleanliness-----			14
Clean, dry hands-----		4	
Udder washed and dried-----		10	
Cleaned with moist cloth-----		8	
Cleaned with dry cloth-----		4	

Care of milk:

Cooling-----		20
Removed from stable immediately after milking each cow and promptly cooled-----	10	
Cooled to 50° F. or below-----	10	
51° to 55° F-----	8	
56° to 60° F-----	6	
Storing-----		8
Below 50° F-----	8	
51° to 55° F-----	6	
56° to 60° F-----	4	
Transportation-----		10
Iced in summer-----	10	
Jacket or dry blanket in summer-----	8	
Wet blanket-----	4	
Covered wagon-----	2	
Total-----		100
Score of equipment-----	X 1	=
Methods-----	X 2	=
Total divided by 3 =-----		

1872. *Inspection of bottling plants and distributing stations.*—The department of health shall inspect every bottling plant and distributing station which prepares or handles milk for use or consumption within the city of Evanston with particular reference to the information required in the score card herein-after described. The report upon said inspection shall be by the giving of points upon said score which shall be substantially in the following form:

Sanitary inspection of creameries and pasteurizers—Equipment.

Location-----		10
Surroundings; clean, 3; grass covered, 1-----	4	
No open privies nearer than 300 feet-----	6	
Construction-----		15
Floor; iron plate, 4; cement, 3; tile or brick, 2; wood, 1-----	4	
Floor free from defects-----	2	
Walls and ceilings; tile, cement, enameled metal and enameled wood-----	4	
Plaster, 1; rough wood, 0-----		
Walls free from defects-----	2	
Fly screens on hand-----	3	
Sanitation-----		15
Light; window area 15 per cent of floor space-----	4	
Ventilation; working system-----	6	
Windows, 3-----		
Drainage; ample, 1; trapped, 2, to 300 feet away-----	5	
Pasteurizer and cooler-----		15
Process; held, 4; continuous, 3-----	4	
Feed; regulated and fixed-----	2	
Automatic thermoregulator-----	3	
Auto thermoregister-----	3	
Easily cleaned and little piping-----	3	
(If no pasteurizer and cows are all tested allow 15.)-----		
Separators and filters-----		3
Easily cleaned-----	3	
Bottle filler-----		5
Automatic, 5; hand, 3-----	5	
Bottle washer-----		5
Machine, 5; hand, 4-----	5	
Other utensils-----		5
Smooth and well plated-----	3	
Free from rust and defects-----	2	
Milk pumps and pipes-----		10
Joints; all crosses, 6; others readily taken apart, 3-----	6	
Smooth inner surface and plated-----	4	
Water and ice supply-----		10
Water; from deep well, 5; spring, 4; city main, 3; running stream, 2-----	5	
Ice; artificial, 5; natural, 3 (allow 5 if water or ice supply has been examined and passed by the department)-----	5	
Dressing room-----		7
Hot and cold water-----	2	
Sanitary lavatory, soap and towels-----	2	
Uniform working suits and caps-----	3	
Total-----		100

Methods.

Buildings-----		25
Cleanliness:-----		
Walls—painted 1, clean 2-----	3	
Ceilings—painted 1, clean 2-----	3	
Floors, including corners-----	4	
Windows, including ledges-----	2	
Ledges free from dust-----	2	
Free from flies-----	8	
Free from odor-----	3	

Apparatus	25
Cleanliness :	
Pasteurizer and cooler	5
Separators and filters	5
Bottle fillers	5
Bottle washers	2
Bottle rinsing tubs	4
Weighing and receiving vats	2
Pumps and pipes	2
(Deduct 10 points from score allowed if any of the utensils are not sterilized.)	
Containers	20
Bottles :	
Well soaked and washed	3
Rinsed in running water and drained	3
Sterilized, live steam 10, dry heat 8	10
Shipping crates washed	2
Farmers' cans rinsed and washed	2
(Deduct 10 points if farmers' cans are not thoroughly cleansed and sterilized.)	
Handling of milk	10
Protection from dust and flies ; covered vats	4
Covered aerators and coolers	4
Bottle caps protected	2
Cooling and storage	10
Below 50° F.	10
From 51° F. to 55° F.	8
From 56° F. to 60° F.	4
Above 60° F.	0
Employees (handling milk)	10
Clothing clean	4
Hands clean	4
Hands free from sores	2
(Deduct 5 points from score allowed for smoking or expectorating in workroom.)	
Total	100
Score of equipment	multiplied by 1=
Score of methods	multiplied by 2=
Total	divided by 3= Final score.

1873. *Commissioner may publish standing.*—The commissioner of health may publish the whole or any part or a summary of such report upon such inspection as aforesaid of any farm, dairy, bottling plant, or distributing station in which milk is produced, prepared, or handled for use within the city of Evanston.

1874. *All milk to be pasteurized except "certified" or "inspected."*—No person, firm, or corporation shall sell, exchange, or deliver or offer for sale, exchange, or delivery in the city of Evanston any milk, unless the same is pasteurized by heating in the following manner: If heated at a temperature of not less than 140° F., it shall be heated for not less than 20 minutes; if at a temperature of not less than 150° F., it shall be heated for not less than 15 minutes; if at a temperature of not less than 155° F., it shall be heated for not less than 5 minutes. The minimum temperature for such pasteurization shall be 140° F. The periods above described and stated shall be calculated as beginning when the entire quantity of milk in the pasteurizing apparatus first reaches the temperature above named.

No person, firm, or corporation shall deliver or sell within the city of Evanston any pasteurized milk which is the product or supply, or contains the product or supply mixed therewith from any farm or dairy which has not been inspected and approved according to the requirements of section 1870 hereof by the commissioner of health, and which has been produced on a farm or farms, dairy or dairies scoring less than 55 on the score card described in section 1870 hereof.

Provided, however, That this section shall not require the pasteurization of milk hereafter described as "certified" or "inspected."

1875. *Application for inspection.*—Any person, firm, or corporation desirous of selling or delivering such milk within the city of Evanston shall apply to the commissioner of health upon a form to be supplied by him for an inspection as is provided herein; and in such application shall state his name, the location

of his farm, dairy, plant, factory, or other place of production or preparation, the names of the farms or dairies which supply to the applicant the milk used in his business, the location of his place of business in the city of Evanston, and the time and place when and where the applicant's pasteurizing apparatus has been or will be installed for operation.

1876. *Inspection.*—The commissioner of health shall thereupon make, or cause to be made, an inspection of such pasteurizing apparatus and the premises or plant wherein the same is operated. He shall require a demonstration of the operation of such pasteurizing equipment, and shall make a test of the milk pasteurized in and by such equipment to determine if the said equipment meets with the requirements and terms of this ordinance.

1877. *Construction of pasteurizer and inspection by commissioner.*—The pasteurizing equipment shall be so constructed and operated that 99 per cent of all bacteria and all pathogenic bacteria are killed in the milk treated therein at the temperature required, as is provided in section 1873 of this ordinance. An accurate recording thermometer shall be installed in connection with the pasteurizer to record during the process of pasteurization the temperature of the milk therein. The records made by said thermometer must be accurate, must each cover a continuous 24-hour period and must at all reasonable times be open to the inspection of the commissioner of health. The commissioner of health may require the dealer to supply accurate charts at any reasonable time and at such intervals as shall seem necessary to the said commissioner. The mechanism of the pasteurizer shall be such that the temperature, time of exposure, and the quantity of milk exposed to heat therein at one time can be kept under the observation and control of the commissioner of health. The thermometer of this apparatus shall be kept submerged in the milk therein in such a way that it is exposed to the heated milk only.

1878. *Retest of equipment in case of dispute.*—In case of dispute in regard to tests made by the commissioner of health of such pasteurizing equipment, the owner or user of such equipment may make application to the commissioner of health to have the said equipment reinspected. Such reinspecting or retesting shall be made at the cost of the applicant and by two persons, one of whom shall be designated by the commissioner of health, the other by the person, firm, or corporation owning or using said pasteurizer. The persons so designated shall inspect such equipment and determine if it satisfies the requirements hereinbefore set forth. In case of failure or inability to agree, the two so designated shall select a third person, who shall decide between them; and milk may or may not be pasteurized in such equipment according to the decision of such persons.

1879. *License to sell pasteurized milk.*—When the commissioner of health, upon such application and such inspection, shall be satisfied that the pasteurizing equipment used by the said applicant is in accordance with the requirements herein named, and that the farm or farms, dairy or dairies supplying to such applicant the milk used in making such pasteurized product are operated in accordance with the conditions herein named, then the commissioner shall report the fact to the mayor, who shall thereupon issue a license to such person, firm, or corporation to sell, supply, and deliver pastuerized milk within the city of Evanston, as is provided in section 1862 hereof.

1880. *No repasteurization.*—No milk which has been pasteurized shall be repasteurized or reheated for any purpose whatsoever.

1881. *Milk to be cooled after pasteurization.*—All pasteurized milk shall be cooled immediately after the process of pasteurization has been completed to a temperature of 45° F. or below in such manner that it is not exposed to possible sources of contamination, and shall be kept thereafter at a temperature

of 50° F. or below during all of the time while it is stored at the pasteurizing plant, bottling establishment, milk depot, or in the wagon or other vehicle used for delivering the same.

1882. *Pasteurized milk to be put in closed containers.*—All milk which has been pasteurized as aforesaid shall be inclosed in tightly closed bottles or containers of a similar character or in sealed cans immediately after pasteurization.

1883. *Labels.*—All milk produced, prepared, and handled as aforesaid shall be labeled as “pasteurized,” and such label shall appear on the cap or cover of every container containing the same. When such milk is held in bottles or containers of similar character the label “pasteurized” shall appear on the cap thereof printed in letters not less than three-sixteenths of an inch in height; if contained in cans the said label shall appear on a tag attached to each container upon which the letters as aforesaid shall not be less than five-eighths of an inch in height. In all cases the label shall also state the number of the license of the dealer required by section 1861 hereof. There shall also be plainly marked upon the said cap or tag the name of the day of the week upon which the milk contained in the said bottle or can or other container to which the said cap or tag is attached was pasteurized. It shall be unlawful for any person, firm, or corporation to mark or permit to be marked upon the bottle, can, or other container the name of any other day than that upon which the contents thereof was pasteurized, or the number of any license other than the one under which the same may be supplied or delivered within the city of Evanston.

1884. *Commissioner may revoke license.*—When the commissioner of health shall be satisfied, upon an inspection of the equipment or of the milk brought into the city of Evanston or offered for sale by any licensee, that such milk is not pasteurized as required hereby and that it has not been produced, prepared, or handled under conditions or in the manner required hereby, or that the said pasteurizing equipment does not pasteurize such milk as is required hereby, he may, by and with the advice and consent of the mayor of the city of Evanston, revoke altogether the license theretofore issued to the licensee, and shall not permit such person, firm, or corporation to sell, supply, or deliver milk within the city of Evanston or to any other person, firm, or corporation selling, supplying, or delivering milk within the city of Evanston.

1885. *Fine for selling unpasteurized milk.*—When any person, firm, or corporation shall be convicted of selling, supplying, or delivering milk within the city of Evanston which has not been pasteurized, other than “inspected” or “certified” milk, as is hereby required, he shall be fined the sum of \$50 for each offense. Such conviction shall operate to revoke the license heretofore granted to such person, firm, or corporation to deal in milk in the city of Evanston.

1886. *Certified milk; license.*—No person, firm, or corporation shall receive a license to sell or deal in milk labeled or sold as “certified” unless he shall have first executed a contract with the Chicago Medical Society Milk Commission obligating the dealer in such milk to maintain conditions prescribed therein of excellence in and about the equipment on the premises used in his business by said dealer, in and about the health and cleanliness of the cattle used in producing the milk handled by said dealer, and in and about the cleanliness of the methods of handling the milk throughout all the steps and processes, including delivery of the same to the consumer, and shall have received therefrom in accordance with said contract the certification of indorsement of the said commission and the right to use the label “certified” in accordance therewith.

When such conditions have been performed a license to deal in such milk shall be issued as is provided in section 1861 hereof.

1887. *Revocation when condition not observed.*—Whenever it shall appear to the satisfaction of the commissioner of health that the conditions of the said indorsement of the said commission are not being complied with in accordance with the terms of said contract, it shall be the duty of the commissioner of health, by and with the advice of the mayor, immediately to revoke the said license to deal in “certified” milk in the city of Evanston.

1888. *Inspected milk; definition.*—Milk may be denominated, labeled, or advertised and sold or delivered under the name and style of “inspected” within the city of Evanston only when it has been produced, prepared, and handled on dairy farms or other places which have been inspected and approved and to which a license to deal in such milk has been issued, as is provided in section 1861 hereof.

1889. *Application.*—Any person, firm, or corporation desiring to have issued to him a license to produce, prepare, bottle, handle, sell, or deliver in the city of Evanston milk labeled or advertised as “inspected” shall make a written application to the commissioner of health for inspection and approval of the dairy, farm, plant, factory, or other place in which such production, preparation, bottling or handling is done and shall state in such application the name and residence of the applicant and the location and description of the premises where such milk is produced, prepared, bottled, or handled and such other information as the commissioner of health shall require.

1890. *Inspection.*—The commissioner of health shall thereupon make or cause to be made an inspection of the premises where and the cows from which milk for consumption in the city of Evanston is produced, prepared, bottled or handled and the manner of such production, preparation, bottling or handling; and if the conditions in such dairy, farm, plant, factory or other place are found to be in accordance with the requirements set forth herein for the production, handling, sale and delivery of milk which may be labeled as “inspected,” the said commissioner shall notify the mayor who shall, if all other conditions are performed, issue a license as is provided in section 1861 hereof allowing said person to deal in “inspected” milk in the city of Evanston.

1891. *Standard on dairy farm.*—Only such milk may be sold or delivered within the city of Evanston as “inspected” which has been produced, bottled or handled on a farm, dairy or other place which scores not less than 65 points on the score card described in section 1870 hereof: *Provided*, That after January 1, 1916, it shall have been produced only on such farm, dairy or other place as shall score not less than 70 points on the said score card.

1892. *Certification of no tuberculosis.*—Such milk to entitle it to be so labeled as “inspected” shall have been obtained from such cows only as have been certified by a veterinary surgeon, as hereafter provided, to be free from tuberculosis and such other diseases as the commissioner of health shall name, at a time not more than six months prior to the date of the issuance of such certificate. Such certificate shall be that of any veterinary surgeon authorized by the commissioner of health of the city of Evanston, or by the State of Illinois or by the United States of America, to make such inspection and the certificate of any other person shall not be sufficient. When any such certificate shall appear to have been wrongfully obtained or issued, the commissioner of health shall immediately cause a proper inspection of such cows to be made and shall stop the delivery and supplying of all milk labeled as “inspected” from the dairy or farm to which such certificate has been wrongfully issued. All cows used in producing milk of the character described shall be tested at least twice in every 12 months as is above described. All certificates issued, as above set

out, shall be registered in a book to be kept by the commissioner of health for that purpose, within five days after the inspection required hereby: *Provided, however*, That 90 days from and after the date at which this ordinance shall be in full force and effect shall be allowed for the filing of all such certificates.

1893. *Revocation of license.*—When the commissioner of health is satisfied that the provisions of this ordinance with reference to the conditions and manner of producing, preparing, bottling, or handling “inspected” milk and the conditions upon which the license to sell milk so labeled has been issued, have not been complied with, he may revoke the license theretofore issued to deal in such milk and shall give notice in writing of that fact to the person, firm, or corporation thus failing to comply herewith.

1894. *No foreign substance to be added.*—It shall be unlawful for any person, firm, or corporation to sell, exchange, or offer or keep for sale, exchange, or use within the city of Evanston any milk or cream which is unclean, impure, or unwholesome, or to which any water or other deleterious substance has been added, or to sell, exchange, or offer for sale or exchange any article of food made therefrom.

1895. *Fat and solids standards in milk.*—All milk sold or offered for sale or use in the city of Evanston shall contain not less fat than $3\frac{1}{4}$ per cent of the total volume of such milk nor less of milk solids than 12 per cent of such volume and shall have a specific gravity of not less than 1.029 at a temperature of 60° F. and shall have a reading on an immersion refractometer on the serum at 20° F. of not less than 30.

1896. *Fat standards in cream; label.*—All cream sold or kept or offered for sale or use in the city of Evanston shall contain butter fat therein of not less than 18 per cent of the volume thereof. Every test of such cream for fat content shall be by a series of not less than six analyses. The average of these tests shall show not less than 18 per cent fat. Every container of cream shall bear upon the cap or tag thereto belonging a label stating the per cent of butter fat present.

1897. *Skim milk; standards; label.*—No person, firm, or corporation shall sell or offer for sale in the city of Evanston any milk from which the cream or any part thereof shall have been taken, except as “skim milk.” Skim milk shall be defined as sweet milk from which a part or all of the cream has been removed. No person, firm, or corporation shall sell or distribute within the city of Evanston skim milk which contains less than 7 per cent of milk solids which are not fats. It shall be unlawful to transport, sell, or deliver “skim milk” unless the vessel containing such milk shall have conspicuously attached thereto, if a can, a red tag or plate 3 inches by 5 inches in size on which shall be engrossed the words “skim milk” in letters not less than five-eighths of an inch high. When such “skim milk” is contained in a bottle, a similar statement shall appear on the cap thereof in letters not less than three-sixteenths of an inch in height.

1898. *Buttermilk; definition.*—Buttermilk is milk produced by the removal of butter fat from skim milk or cream in the process of churning. Nothing in this article contained shall be construed to prohibit the use or sale of what is known as buttermilk, provided the same is produced from pure and unadulterated milk. Should any such buttermilk, however, be sold, kept, offered, or exposed for sale, exchanged or transported, conveyed or carried, or be in the care, custody, or control or possession of anyone with the intent to sell same, which is not the product of pure and wholesome milk, the offenders shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than \$5 nor more than \$100 for each and every offense. It shall not be unlawful to make “pure culture buttermilk” by the addition of the usual and

proper bacterial culture to skim or whole milk, but such product shall be labeled "Pure culture buttermilk made from skim (or whole) milk," as the case may be.

1899. *Condensed milk; label; standard.*—No person, firm, or corporation shall sell or offer for sale any condensed or evaporated milk in the city of Evanston unless the same be contained in a can, bottle, or other package which shall have distinctly labeled or stamped thereon that the content thereof is condensed or evaporated milk. Condensed milk or evaporated milk or milk to be used in the manufacture thereof shall not be construed to be within the terms of this ordinance in regard to dairy inspection, but all such milk for use within the city of Evanston shall be put up in packages or cans upon which shall be distinctly labeled or stamped the name of the brand and the name of the manufacturer thereof. All such condensed or evaporated milk shall be manufactured only from pure, fresh, and unadulterated milk from which the cream has not been removed, and nothing in this ordinance or any section thereof shall be construed to the contrary. Such milk shall contain milk solids in an amount not less than 28 per cent of the volume thereof. One hundred per cent of such milk solids shall contain milk-fat in an amount not less than 27.5 per cent thereof. It shall not be unlawful to use cane sugar in the manufacture of such milk.

1900. *Bacterial standards.*—Milk sold or kept for sale or use within the city of Evanston shall not contain more foreign matter than shall yield a perceptible amount of sediment or stain other than that of the natural butter fat when a pint sample thereof is filtered through a pledget of cotton 1 inch in diameter. Such milk shall be entirely free from disease-producing bacteria and likewise free from blood, pus, matter, or things dangerous or detrimental to health.

Milk which may be labeled "inspected" shall not contain more than 100,000 bacteria per cubic centimeter during the months from October 1 to April 30, inclusive, and not more than 150,000 bacteria per cubic centimeter during the months from May 1 to September 30, inclusive.

Cream which may be labeled as "inspected" shall not contain more than 150,000 bacteria per cubic centimeter during the months from October 1 to April 30, inclusive, and not more than 300,000 bacteria per cubic centimeter during the months from May 1 to September 30, inclusive.

Milk which is required to be pasteurized according to the terms of this ordinance shall, before the same is pasteurized, not contain more than 300,000 bacteria per cubic centimeter during the months from October 1 to April 30, inclusive, and not more than 500,000 bacteria per cubic centimeter during the months from May 1 to September 30, inclusive.

Milk which has been pasteurized shall not contain more than 50,000 bacteria per cubic centimeter during the months from October 1 to April 30, inclusive, and not more than 100,000 bacteria per cubic centimeter during the months from May 1 to September 30, inclusive.

Pasteurized cream shall not contain more than 150,000 bacteria per cubic centimeter during the months from October 1 to April 30, inclusive, and not more than 300,000 bacteria per cubic centimeter during the months from May 1 to September 30, inclusive, and shall not contain any colon bacilli in a sample of one cubic centimeter of such pasteurized cream as shall be determined by cultural methods.

1901. *Laboratory methods in testing milk.*—Except as herein provided, all tests shall be made according to the laboratory methods of the American Public Health Association as now or hereafter in use. The bacterial counts hereafter required or provided for shall be determined by the standard method of such association.

1902. *Definitions.*—The following shall be taken to be definitions of the respective terms used in this ordinance:

“Pasteurize” the process of checking, preventing, and destroying disease germs by means of the application of moderate heat for a specified time in equipment especially adapted to such use.

“Milk” shall be construed to include its fluid derivatives wherever such construction is applicable.

“Person” shall include both singular and plural, likewise any firm or corporation, or any agent, servant, assistant, employee, or representative thereof.

“Dealer” shall be taken to mean any person who sells or keeps for sale milk or its derivatives, or any agent, servant, assistant, employee, or representative of such person.

The word “sell” shall be taken to mean exchanging or delivering for a consideration, or the having in possession, care, control, or custody with the intent to sell, exchange, or deliver, or to offer for sale.

The words “handling milk” shall be taken to mean any of the processes or operations through which milk passes or to which it is subject from the time it is being drawn from the cow until it is delivered to the consumer.

1903. *Power of entry to take samples for test.*—The commissioner of health, or any of his deputies thereunto duly authorized, shall have the power to enter and have full access to any building, structure, or premises where milk or any of its fluid derivatives is produced, prepared, handled, stored, sold, or kept for sale, and to all wagons, railroad cars, or other vehicles of any kind used for the conveyance or delivery of such milk, and shall have the right to take samples of such milk from any milk-can, vessel, or container which he may find in any such place, paying the reasonable and customary price therefor. Such samples shall be taken in the original unbroken packages. In the case of bulk milk, a sample not to exceed one pint shall be taken in the presence of the dealer in a sterile bottle supplied by the department of health. Upon demand, similar samples shall be supplied to the dealer for check analysis. The inspector or officer taking such samples shall inform the person from whom any such samples are taken that they are to be used for the purpose of such inspection, test, and analysis by the department of health. All samples taken or left for check analysis shall be properly identified by sealing in the presence of the dealer or his representative with a seal provided by the department of health. Upon the seal shall appear the date and hour when said samples were taken, the dealer's name, the name of the brand, and the inspector's signature. Said inspector or other authorized person shall, when weather conditions make it desirable, immediately place said samples in an iced receptacle and personally deliver it with reasonable promptness to the chemist at the health department, or other person authorized to make analyses, who shall place the samples upon ice until actual analysis. These analyses shall be made promptly, and the time elapsing between the taking of the sample and the time of the examination shall in no case exceed six hours.

1904. *Duty of commissioner and health officers to inspect.*—It shall be the duty of the commissioner of health (either in person or by a deputy) as often as twice annually to visit, view, and inspect all places and vehicles in which milk or cream may be sold, offered for sale, exposed for sale, stored, kept, exchanged, delivered, or disposed of, as well as to inspect, view, and examine all vessels, cans, receptacles, packages, refrigerators, or compartments of stores, places or buildings, erections, or establishments of any kind containing milk or cream, and ascertain or examine the conditions thereof with reference to cleanliness and sanitation, and is authorized, directed, and empowered to

cause the removal and abatement of any unfit, unclean, or injurious conditions attending the keeping, storing, possession, care, custody, or control of milk or cream in all places. Any person, firm, or corporation failing, neglecting, delaying or refusing to obey or conform to any reasonable order or direction under this section made by the proper officer, shall be deemed guilty of a misdemeanor and fined not less than \$5 nor more than \$100.

1905. *Refusal to allow inspection.*—Any person, firm, or corporation who refuses to allow such entry or sampling, or hinders or obstructs an officer in carrying out the power and duty provided for by the foregoing sections, shall be fined not less than \$10 nor more than \$100 for each offense.

1906. *Notice of violation.*—Whenever the commissioner of health of the city of Evanston shall discover that any person, firm, or corporation has violated or is violating any of the provisions hereof, said commissioner shall within 10 days from the date of such discovery and before prosecution is commenced, notify in writing the person, firm, or corporation guilty of such violation of such fact. Said notice shall state the particular provision of the foregoing section or sections that has or have been violated. *Provided, however,* That in the case of a violation continuing throughout several days, only one such notice shall be necessary.

1907. *Power of condemnation.*—All milk and cream from sick and diseased cows or cows fed on refuse or slop from distilleries, vinegar factories, or similar slops, mash or refuse, or any milk or cream which is otherwise dangerous or detrimental to health or to which any preservative has been added or which has been adulterated or which does not otherwise comply with the requirements hereof or with standards herein set out, shall be condemned by the commissioner of health and rendered unfit for human food by coloring or treating in some other manner as directed by said commissioner, or shall be seized and destroyed. *Provided,* That in such case in the discretion of the commissioner of health, the said milk may be tagged as follows:

“Condemned, commissioner of health, Evanston,” and returned to the shipper or producer.

1908. *Conniving at violation of this article by officer or employee; penalty.*—Any officer or employee of the city of Evanston who willfully connives at or assists in the violation of the provisions of this article shall, on conviction thereof, be punished by a fine of not less than \$100 nor more than \$200 and shall at once forfeit his office.

1909. *Veterinary inspector.*—If any cow be sick or diseased, the owner or person in charge thereof shall not sell, offer for sale or exchange, deliver or keep for sale, exchange, or delivery, the milk or cream therefrom, but shall at once destroy the same. Whenever, in the judgment of the commissioner of health, it may be deemed necessary to cause an inspection of any sick or diseased cow, or the herd wherein such sick or diseased animal is found, he may engage a veterinary inspector to act with him in making such inspection, and if, after careful inspection, any cow or cows are found to be sick or diseased with any contagious or infectious disease, or with any malady which in the judgment of the said commissioner would of necessity render the milk unwholesome for human food, the affected cow or cows shall be removed, if in a herd or place where they are likely to spread or cause contagion or infection therefrom, either temporarily or permanently, as such commissioner may deem necessary or conducive to producing wholesome milk. If a diseased cow is by the commissioner of health deemed incurable and the owner or person in charge thereof does not consent to its being killed, the commissioner of health shall notify and request the State board of live-stock commissioners to slaughter such animal. A violation of this section shall be deemed a misdemeanor, and

on conviction thereof the offender shall be fined not less than \$5 nor more than \$100.

1910. *Records to be kept by the commissioner.*—The commissioner of health shall keep such records, indices, and books as may be necessary for recording all official acts. He shall keep a record of the names, addresses, and places of business of all persons engaged in the sale, transportation, and delivery of milk and cream in the city of Evanston, as also of those delivering or selling milk from carriages, wagons, or other vehicles of any description, and the number thereof; also the number of cows in every stable or dairy in the city of Evanston, and the names, addresses, and license number of each milk wagon; a record of all examinations, tests, or analyses of milk or cream, together with such other data as may be required by this article, or that may be deemed necessary or of public interest.

1911. *General penalty.*—Every person, firm, or corporation violating this article or any of its provisions, where specific penalty has not been provided for, shall be deemed guilty of a misdemeanor, and on conviction thereof be punished by a fine of not less than \$5 nor more than \$200 for each and every offense. Each separate delivery of milk not conforming to the terms, conditions, or standards of this ordinance, or each shipment or transportation thereof to any point within the city of Evanston in an unlawful manner, shall constitute a separate and distinct offense.

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